

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
NEW ALBANY DIVISION

IN RE:)	Chapter 11
)	
EASTERN LIVESTOCK CO., LLC,)	Case No. 10-93904-BHL-11
)	
Debtor.)	Hon. Basil H. Lorch III

**TRUSTEE'S LIMITED OBJECTION TO REQUEST OF GREENEBAUM DOLL &
MCDONALD PPLC FOR PAYMENT OF FEES AND EXPENSES PURSUANT TO 11 §§
503(B)(3)(A) AND 503(B)(4) AND RULE 2016 OF THE FEDERAL RULES OF
BANKRUPTCY PROCEDURE**

James A. Knauer, the chapter 11 trustee appointed in this case ("Trustee"), by counsel, objects to the Request of Greenebaum Doll & McDonald PLLC for Payment of Fees and Expenses Pursuant to 11 U.S.C. §§ 503(b)(3)(A) and 503(b)(4) and Rule 2016 of the Federal Rules of Bankruptcy Procedure [Docket No. 413] (the "Greenebaum Fee Request") filed by Greenebaum Doll & McDonald PLLC ("Greenebaum") on March 30, 2011. In support of this limited objection (the "Objection"), the Trustee states:

1. The Greenebaum Fee Request, pursuant to 11 U.S.C. §§ 503(b)(3)(a) and 503(b)(4), seeks allowance and payment of \$77,841.76 (the "Greenebaum Admin Claim") in fees and expenses incurred by Greenebaum during December 2010 in preparing and prosecuting this involuntary chapter 11 case (the "Chapter 11 Case") on behalf of various creditors of Eastern Livestock Co., LLC ("Debtor"). The Greenebaum Admin Claim also includes fees and costs incurred by Greenebaum in the preparation of the Greenebaum Fee Request.

2. The Trustee objects to payment of any allowed Greenebaum Admin Claim at this time. Any allowed Greenebaum Admin Claim should be paid at the same time and on the same terms as other allowed administrative expense claims in the Chapter 11 Case. Because the Trustee does not yet know if there will be sufficient non-encumbered estate assets to pay all

allowed administrative expense claims in full, payment on any allowed Greenebaum Admin Claim should be made only upon separate order of the Court.

3. In addition, the Trustee objects to the Greenebaum Admin Claim to the extent the requested fees do not represent "reasonable compensation for professional services rendered by an attorney...based on the time, the nature, the extent, and the value of such services...". 11 U.S.C. § 503(b)(4).

4. The Greenebaum Fee Request seeks compensation primarily on account of services rendered in filing the Chapter 11 Case and prosecuting three pleadings filed in the first month of the Chapter 11 Case: 1) a motion seeking interim authority for the state court appointed receiver to operate as an interim custodian over Debtor's assets, 2) a motion seeking the appointment of a trustee, and 3) a brief in support of the motion to appoint a trustee. The Court should determine whether any of these services were duplicative of services rendered by Dinsmore & Shohl, LLP, counsel to Elizabeth Lynch in her capacity as state-court appointed receiver and interim custodian in this Chapter 11 Case, and whether the entire claimed amount was on account of services beneficial to the estate. The Trustee requests that the Court make a determination as to the reasonableness of the Greenebaum Admin Claim and only allow the Greenebaum Admin Claim in an amount that represents "reasonable compensation...based on the time, the nature, the extent, and the value of such services."

WHEREFORE, the Trustee respectfully requests that the Court allow the Greenbaum Admin Claim in an amount that it considers "reasonable" in light of the circumstances of this Chapter 11 Case, condition payment on account of any allowed Greenebaum Admin Claim upon a separate order of the Court and grant the Trustee all other just and appropriate relief.

Respectfully submitted,

By: /s/ Dustin R. DeNeal

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CERTIFICATE OF SERVICE

I hereby certify that on May 6, 2011, a copy of the foregoing pleading was filed electronically. Notice of this filing will be sent to the following parties through the Court's Electronic Case Filing System. Parties may access this filing through the Court's system.

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I further certify that on May 6, 2011, a copy of the foregoing pleading was served via electronic mail transmission on the following:

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